

INSTRUCTIONS FOR OBTAINING ARIZONA OR FEDERAL CONSTRUCTION GENERAL PERMIT AUTHORIZATION FOR ADOT CONSTRUCTION PROJECTS

The following sections describe the steps that ADOT and the general contractor will follow to comply with the ADEQ's AZCGP requirements (federal CGP instructions are described at the end of this chapter). Within each section a short summary of responsibilities for the individuals involved in the construction process is explained. It is ADOT's intent to share responsibilities on the job site with the contractor. It shall not be the general contractor's nor ADOT's sole responsibility to comply with AZCGP requirements. Instead, it is a shared obligation between ADOT and the general contractor and subcontractors to protect the environment.

Step	Action	AZCGP Reference	Information & forms
Step 1	Prepare a Storm Water Pollution Prevention Plan (SWPPP).	Part IV	Chapter 4 Appendix A, Contract Documents ADOT Stored Specification 104SWDEQ
Step 2	Certify the SWPPP	Part IV.C.1, Part IV.J.1, Part VII.K	ADOT Standard Sheet-Appendix A "AZPDES SWPPP Index"
Step 3	Submit a Notice of Intent (NOI)	Part III	Appendix A www.adeq.state.az.us Project Specifications
Step 4	Retain the NOI and SWPPP at the job site	Part IV.J.	Project Specifications
Step 5	Implement the SWPPP	Part IV.D	Maintenance, record keeping and site-monitoring forms - Appendix A Project Specifications
Step 6	Inspect the BMP's regularly and after each storm event	Part IV.H,	ADOT Inspection Form Appendix A Project Specifications
Step 7	Adjust the SWPPP to fit site conditions	Part IV.H.7	Project Specifications
Step 8	Maintain an Updated SWPPP	Part IV.I	Project Specifications
Step 9	Maintain the BMPs	Part IV.E.1 -3	BMP descriptions-Appendices A & B
Step 10	Evaluate job site to determine if Final Stabilization is achieved	Part IX - definition of final stabilization	Final Stabilization Methods Appendix A Project Specifications
Step 11	Submit Notice of Termination (NOT)	Part II.C	Appendix A www.adeq.state.az.us Project Specifications
Step 12	Retain Records after project is complete for 3 years.	Part VI	Project Specifications

Table 3.1 Steps for obtaining Arizona Construction General Permit Authorization

3.1 STEP 1: PREPARE A STORM WATER POLLUTION PREVENTION PLAN (SWPPP)

A complete SWPPP shall be developed by an Erosion Control Coordinator who is designated by the contractor in accordance with the project specifications. Instructions for completing a SWPPP are included in Chapter 4. Two copies of the draft SWPPP shall be submitted to the Engineer at the preconstruction conference if possible, but not later than 14 calendar days from the Department's approval of the contractor's Erosion Control Coordinator.

Responsibilities:

ADOT: Provide supporting documents required to complete the SWPPP. Review the credentials of the Erosion Control Coordinator selected by the contractor. Review the draft SWPPP submitted by the contractor.

The Contractor: Designate an Erosion Control Coordinator. The Erosion Control Coordinator shall prepare the SWPPP.

3.1.1 Project Document BMPs

As described in Section 2.2.4.3, during the project design process ADOT will prepare storm water pollution prevention plans (entitled "Erosion and Sediment Control Plans"), details (entitled "Erosion and Sediment Control Details") and specifications (in Section 810 of the Special Provisions) using BMPs from this manual and BMPs developed for unique conditions particular to individual projects. The project documents will provide direction and specific expectations to the contractor regarding storm water pollution prevention. However, these documents shall not be considered a complete SWPPP and shall not replace the contractor's SWPPP, since the project documents are prepared assuming standard construction practices and may not reflect the contractor's actual methods of construction, access requirements or project phasing. Instead, the contractor shall use the project documents as a guide in developing his own SWPPP.

3.2 STEP 2: CERTIFY THE SWPPP

ADOT, the contractor and any subcontractors that are responsible for constructing the pollution controls must certify the SWPPP. In the case of ADOT local government projects involving federal aide, the appropriate municipality shall also certify the SWPPP. Refer to the AZCGP Part IV.C.1, Part IV.J.1, and Part VII.K for specific instructions. The certifications shall occur after award of the contract and before construction begins.

As described earlier, it is the obligation of all personnel involved in the construction process to protect the environment. The certification requirement shall reinforce the fact that it takes a team effort to properly control storm water pollution and that the responsibility is equally shared between ADOT and its contractors and subcontractors.

The following certification is required by ADEQ and is included on ADOT's "AZPDES SWPPP Index" Sheet (Appendix A).

Responsibilities:

ADOT: The Engineer will certify the SWPPP.

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

The Contractor: The Contractor, the Erosion Control Coordinator and any Subcontractors who are involved in implementing measures identified in the SWPPP must sign the certification.

3.3 STEP 3: SUBMIT NOTICE OF INTENT (NOI)

A complete and accurate NOI form must be prepared and signed by the operator(s) to receive coverage under the AZCGP. The NOI form serves as a promise that the operator(s) will comply with the AZCGP conditions. An operator(s) is any person associated with the project that has control over the construction plans or specifications (the ADOT Engineer) or day-to-day operational control of the site (the Contractor, the Erosion Control Coordinator, and any Subcontractor directly associated with installation or maintenance of BMPs). Refer to Part IX of the AZCGP for a complete definition of operator.

The NOI must be mailed to ADEQ at least 2 business days before any construction activities occur at the site (AZCGP Part III.C.1). If the project is located within or has the potential to discharge to an MS4, a copy of the NOI must also be submitted to the MS4 (AZCGP Part III.F). A list of MS4 municipalities in Arizona is located on the ADEQ website (www.adeq.state.az.us). Also, contractors operating under an approved local sediment and erosion control plan, grading plan, or storm water management plan shall submit a signed copy of the NOI to the local authority upon their request. If the project site is

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located within 1/4 mile of unique or impaired waters, the NOI must be submitted at least 32 business days before any construction activities occur at the site (AZCGP Part II.B.1).

A SWPPP that satisfies the conditions of the AZCGP must be completed and certified prior to submitting the NOI to ADEQ. It is not necessary for the SWPPP to be included with the NOI, but the SWPPP must always be available for ADEQ review. The SWPPP must be submitted to ADEQ with the NOI if the construction site is located within 1/4 mile of a unique or impaired water (AZCGP Part II.B.1).

The NOI form and detailed instructions for completing the form are available at the ADEQ website (www.adeq.state.az.us) or by calling either 602-771-4665 or 602-771-4449.

Submit NOI form by certified mail or hand delivery to:

Arizona Department of Environmental Quality
Water Permits Section/Storm Water NOI (5415B-3)
1110 W. Washington Street
Phoenix, AZ 85007

Forms can be faxed to 602-771-4674.

The agency now offers a Web-based service to assist individuals in applying for construction storm water discharge permits (Smart NOI). Access the website as described above.

Responsibilities:

ADOT: Because of its control over the project specifications, ADOT is required to submit the NOI. Following approval by ADOT and completion of the Contractor-prepared SWPPP, the Engineer shall prepare, sign, and mail the NOI for ADOT.

The Contractor: Because he has day-to-day control over the job site, the Contractor also is required to submit the NOI. The Contractor shall prepare the NOI after certification of the SWPPP and mail the signed forms at least 48 hours before any construction begins.

3.4 STEP 4: RETAIN DOCUMENTS AT THE JOB SITE

The following documents must be kept with the SWPPP and retained on the job site, or a location easily accessible during normal business hours, throughout the construction process:

Document	AZCGP Reference	Source
Copy of the AZPDES AZCGP (AZG2003-001)		www.adeq.state.az.us
NOI (as completed by the contractor and ADOT)	Part IV.J	www.adeq.state.az.us
AZPDES authorization number for the project.	Part IV.J.2	Provided by ADEQ after NOI is approved.
Other agreements with any state, local or federal agencies that affect the provisions or implementation of the SWPPP.	Part IV.J.3	ADOT environmental clearance documents

Responsibilities:

ADOT: The Engineer shall keep copies of the above-mentioned documents at the construction office.

The Contractor: The contractor shall post a sign or other notice near the main entrance of the construction site with specific information requested in Part IV.J.2 of the AZCGP. If the contractor maintains a construction office at or near the site, the SWPPP with all the above-mentioned attachments shall be kept at the office. If there is no construction office, the contractor's superintendent and ADOT's inspector shall keep copies in their vehicles.

3.5 STEP 5: IMPLEMENT THE SWPPP

After the NOI is accepted and an authorization number received, construction may begin that will require implementation of the SWPPP (Quick Start projects require special coordination with the Engineer). The pollution controls (i.e., the BMPs) shall be constructed in accordance with the SWPPP.

The SWPPP is intended to be a dynamic plan that shall be revised as a result of unanticipated or changing conditions during construction. Making changes to the plan where it is not effective is a requirement of the AZCGP. Any changes to the plan shall be noted and dated on the plan.

Responsibilities:

In order to effectively implement the SWPPP, ADOT and the contractor shall monitor and record weekly-extended weather forecasts. The contractor and the Engineer shall discuss these forecasts at regularly scheduled weekly progress meetings. In the event that extended forecasts report a high probability for precipitation in the project area, the contractor shall ensure that all BMPs in the SWPPP have been properly installed and maintained. He shall also install additional measures in areas determined to be susceptible to erosion as directed by the Engineer.

Stabilization measures shall be installed within 14 calendar days in portions of the site where construction activities have temporarily or permanently ceased. Exceptions can be found in the AZCGP Part IV.D.4.

The Engineer and the contractor are jointly responsible for implementing the SWPPP and maintaining dated records of :

- Major grading activities.
- Areas where construction activities have temporarily or permanently stopped.
- Installation of stabilization measures (BMPs).
- Delays and reasons for delays of installation of stabilization measures.

These records shall be included in the SWPPP. A sample form for record keeping is included in Appendix A.

3.6 STEP 6: INSPECT THE BMPS REGULARLY

Regular site inspections are required as part of the AZCGP (Part IV.H) to ensure that BMPs are functional and that the SWPPP is properly maintained.

The AZCGP requires regular inspections. In areas of the state that receive greater than 20 inches mean annual rainfall, the inspection requirement is every 7 calendar days or once every 14 calendar days and within 24 hours after a rainfall event of 1/2 inch or greater. In areas of the state that receive less than 20 inches mean annual rainfall and construction occurs during the seasonal dry period, inspections are required monthly, anytime rain is predicted and within 24 hours following a rainfall event of 1/2 inch or greater. Refer to the following map (Figure 3.1) to determine the locations in Arizona where the mean annual rainfall is less than or greater than 20 inches. The reduced inspection frequency requirement also applies to sites where runoff is unlikely due to winter conditions.

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Inspections must be performed by qualified personnel as described in Part IV.H.3 of the AZCGP and as specified in the project specifications.

Inspections must include all areas of the site disturbed by construction activity, staging areas and areas used for storage of materials that are exposed to precipitation. Refer to AZCGP Part IV.H.4 for a complete scope of inspections. ADOT has developed an AZPDES inspection checklist to be used on ADOT construction projects (Appendix A). The completed ADOT checklist and any additional sheets necessary to record the results of the inspection shall serve as the Compliance Evaluation Report (Part IV.H.5). The Report and the record of any follow-up actions taken shall be retained as part of the SWPPP.

Responsibilities:

ADOT: Responsible for inspections of BMPs and approval of any follow-up actions deemed necessary following the inspections.

The Contractor: Responsible for inspections, inspection reports and installation and maintenance of all BMPs. Responsible for required follow-up actions within time limits described in project specifications.

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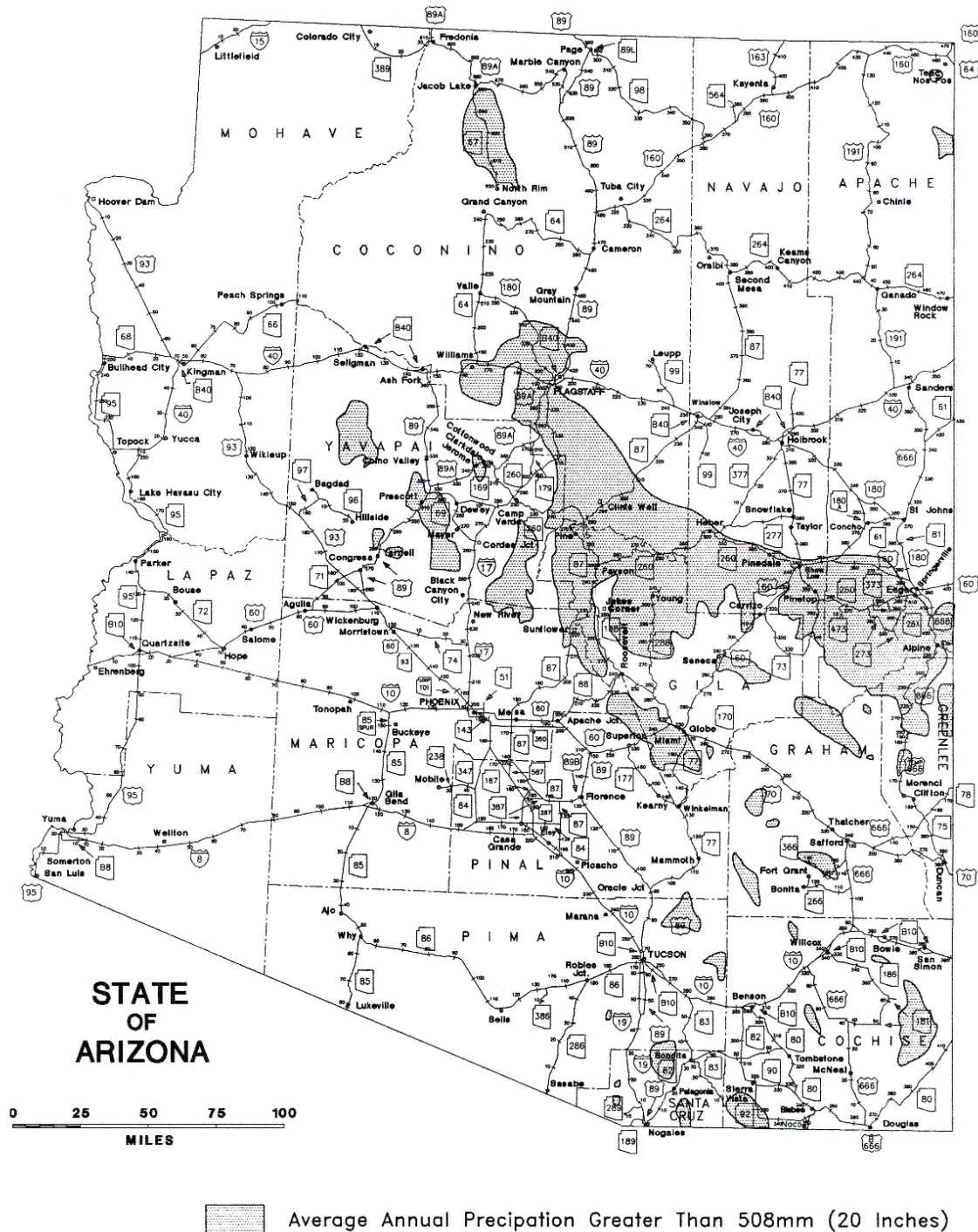


Figure 3.2 Arizona Climate Map

3.7 STEP 7: ADJUST THE SWPPP TO FIT SITE CONDITIONS

The operator shall implement follow-up actions based on results of the inspection process within seven calendar days following the inspection, or as required by the project specifications. Where adjustments to the SWPPP are deemed necessary, implementation must be completed before the next anticipated storm event or as soon as practical (AZCGP Part IV.H.7).

Responsibilities:

ADOT: Responsible for the approval of any changes or additions to the SWPPP based on specific site conditions.

The Contractor: Responsible for the installation and adjustment of BMPs to fit specific site conditions deemed necessary as a result of inspections. The contractor is also responsible for recording these actions on the SWPPP.

3.8 STEP 8: MAINTAIN AN UPDATED SWPPP

It is imperative that the SWPPP remain current with the changes and adjustments made in the field. Failure to update the SWPPP is considered a violation of AZCGP conditions and grounds for issuance of a failure notice.

The SWPPP shall be updated within 15 calendar days if changes in design, scheduling or maintenance activities have a significant effect on the discharge of pollutants or it is determined that discharges from the construction site are causing or contributing to water quality exceedances (Refer to AZCGP Part IV.I).

Responsibilities:

ADOT: The Engineer must retain copies of updated SWPPP in his vehicle.

The Contractor: Must maintain an updated SWPPP.

3.9 STEP 9: MAINTAIN THE BMPS

All erosion and sediment control measures and other protective measures identified in the SWPPP must be maintained in effective operational condition (Refer to AZCGP Part IV.E.1-3).

Responsibilities:

ADOT: Responsible for inspections and approval of maintenance activities.

The Contractor: Responsible for the maintenance of all erosion and sediment control measures.

3.10 STEP 10: EVALUATE JOB SITE TO DETERMINE FINAL STABILIZATION

Final Stabilization shall be defined as the completion of all soil-disturbing activities and the two following criteria have been met:

- A uniform (i.e., evenly distributed, without large bare areas) perennial vegetative cover with a density equivalent to 70% of the native background vegetative cover has been established on all unpaved areas and areas not covered by permanent structures. Where perennial vegetation is not yet fully established, temporary erosion control devices are properly installed and fully operational.
- Permanent erosion control measures (e.g., riprap, gabions, or geotextiles) have been employed and are fully operational.

Refer to Appendix A for methods for determining final stabilization for native seeded/unpaved areas.

Responsibilities:

ADOT: Determine final acceptance in accordance with the project specifications.

The Contractor: Initiate inspections to determine if final stabilization has been achieved.

3.11 STEP 11: SUBMIT NOTICE OF TERMINATION (NOT)

A complete and accurate NOT must be submitted to ADEQ after it has been determined that the project has met the submittal criteria as described in 3.10 above.

The NOT form is available at the ADEQ website www.adeq.az.us or by calling 602-771-4665 or 4449.

Submit form by certified mail or hand delivery to:

Arizona Department of Environmental Quality
Storm Water Program - Water Permits Section/NOT (5415B-3)
1110 W. Washington Street,
Phoenix, AZ 85007

Responsibilities:

ADOT: The Engineer is responsible for filling out, signing and submitting the NOT form for ADOT.

The Contractor: The Contractor is responsible for submitting his own NOT form to ADEQ and providing one copy to the Engineer. In the case of an urban highway project where the landscape contract lags behind the paving project, the following rules apply for submitting the NOT:

- If the bare ground is temporarily seeded and mulched as part of the paving project, ADOT and the contractor shall submit NOTs when the contract is complete. At the start of the subsequent landscape contract, both ADOT and the landscape contractor shall submit NOIs to obtain a new permit to cover the landscaping activities.
- If temporary seeding and mulching are not part of the paving project, ADOT cannot submit a NOT until after the completion of the landscaping project. Therefore, ADOT shall maintain temporary erosion and sediment controls in the area. ADOT shall also perform regular inspections (in accordance with the AZCGP) during the interim period after the paving project is complete and before the landscape contract begins. It should be noted that in this latter case, the paving contractor will submit a NOT at the end of the paving contract and the landscape contractor will submit a NOI before beginning subsequent work. In the interim, ADOT will have sole responsibility for the project.

3.12 STEP 12: RETENTION OF RECORDS

ADOT and the Contractor shall retain copies of SWPPPs and all documentation required by this permit, including records of all data used to complete the NOI to be covered by this permit, for at least three years from the date of final stabilization of the site (AZCGP Part VI).

3.13 SPECIAL CONDITIONS, REQUIREMENTS AND EXCEPTIONS

Condition, Requirement or Exception	Action	Location of forms and further information
Permit Requirements for Tribal Trust Lands	Permit must be obtained through the EPA	EPA website: www.epa.gov http://cfpub.epa.gov/npdes/index.cfm ADOT Stored Specification 104SWEPA
Permit Requirements for discharge to unique or impaired waters	Follow instructions outlined in AZCGP and submit NOI, SWPPP and Monitoring Program 32 business days before construction activity will begin	AZCGP Part II.B.1 www.adeq.state.az.us This chapter - for AZCGP instructions Chapter 4 - for SWPPP preparation
Permit Requirements for Batch Plants, Borrow Pits and Material Pits located outside the right-of-way.	Obtain permit coverage under Multi-Sector General permit for construction activities not directly related to a construction site.	www.adeq.state.az.us AZCGP Part I.C.1.c for definition of allowable discharges.
Waivers for Small Construction Activities	Determine if project equal to or greater than 1 acre but less than 5 acres is exempt from permit requirements	AZCGP Part I.E and Part III.B

Table 3.3 Special Conditions, Requirements and Exceptions

3.13.1 Permit Requirements on Tribal Trust Lands

If the project is located entirely on Tribal Trust Lands, permit coverage shall be obtained through the EPA (<http://cfpub.epa.gov/npdes/index.cfm>). Follow these steps (described in detail on the EPA website) and refer to the ADOT Stored Specification 104SWEPA to obtain coverage:

- Step 1: Read the FCGP and fact sheet.
- Step 2: Determine if project is eligible for coverage under the FCGP.
- Step 3: Develop and implement SWPPP (follow instructions in Chapter 4).
- Step 4: Complete and submit a NOI.

Forms can be submitted by mail to:

Storm Water Notice Processing Center
Mail Code 4203M
U.S. EPA
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Electronic NOI forms are available from the following website:

<http://cfpub.epa.gov/npdes/stormwater/enoi.cfm>

If the project site is located on the White Mountain Apache Reservation, the NOI shall be sent to:

Tribal Environmental Planning Office
P.O. Box 2109
Whiteriver, AZ 85941

3.13.2 Permit requirements for projects located within 1/4 mile of Impaired or Unique Waters.

If the project site is located within ¼ mile of unique (R18-11-112) or impaired (Section 303(d) of the CWA) waters, the NOI and the SWPPP must be submitted to ADEQ at least 32 business days before any construction activities occur at the site (AZCGP Part II.B.1). This extra time allows ADEQ to review the SWPPP to determine whether selected BMPs are sufficiently protective of water quality.

The SWPPP must include a proposal for monitoring to determine if BMPs and controls are effective (AZCGP Part I.D.5.a).

3.13.3 Permit requirements for Batch Plants, Borrow Pits and Material Pits

Discharges from support activities such as concrete or asphalt batch plants, equipment staging yards, material storage areas, screening and crushing plants, excavated material disposal areas and borrow areas are covered under the AZCGP if the conditions of the permit are followed (AZCGP Part I.C.1). The contractor must obtain coverage under a separate Multi-Sector General Permit (MSGP) for activities that do not fall under the allowable discharges for an AZCGP.

3.13.4 Waivers for Small Construction Activities

Small Construction Activities, equal to or greater than 1 acre and less than 5 acres may be exempt from Arizona or Federal Construction General Permits if:

- The project's rainfall erosivity factor calculation is less than 5 during the entire period of construction activity (AZCGP Part I.E.1) or,
- When an EPA-approved "total maximum daily load" indicates that receiving waters will not be impacted by discharges from the project (AZCGP Part I.E.2).